THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 17951 of 2003

Dated: 03-07-2006

Between:

K.Sankara Rao

..... PETITIONER

AND

The State Transport Appellate Tribunal, A.P.,
Hyderabad, rep., by its Secretary
and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 17951 of 2003

O R D E R:

This writ petition is filed questioning the order dated 21-07-2003 passed by the first respondent, whereunder the State Transport Appellate Tribunal confirmed the order dated 10-02-1997 passed by the second respondent-Regional Transport Authority, Srikakulam rejecting the application of the petitioner for pucca stage carriage permit on the moffusil route Sompeta Bus Stand to Pottarakonda.

Heard both sides and perused the material on record.

The Appellate Tribunal dismissed the petitioner's appeal following the judgment of a Full Bench of this Court in D.M., APSRTC, VIZIANAGARAM v. STATE TRANSPORT APPEALLATE TRIBUNAL, A.P.[1] wherein it was held that new permits cannot be granted in relation to a part of a route which would be overlapping the existing routes.

The learned Counsel appearing for the respondent Corporation submits that the said decision of the Full Bench was confirmed by the Supreme Court on an appeal. The said fact has not been disputed by the learned Counsel for the petitioner.

In the circumstances, the order passed by the State Transport Appellate Tribunal, in confirming the order of Road Transport

Authority, does not suffer from any infirmity and therefore, interference by this Court under Article 226 of the Constitution of Indian is not warranted.

Accordingly, the writ petition shall stand dismissed. No costs.

G. ROHINI, J

Dated: 03-07-2006
KLP

[1] 2001 (6) ALD 408 (F.B.)